

<b>Report to:</b>	<b>Conservation Area Advisory Group (CAAG)</b>
<b>Date:</b>	<b>10 February 2020</b>
<b>Title:</b>	<b>Proposed changes to Terms of Reference for CAAG</b>
<b>Report of:</b>	<b>Monitoring Officer and Assistant Director for Corporate Governance, Peter Finnis</b>
<b>Ward(s):</b>	<b>All</b>
<b>Purpose of report:</b>	<b>To propose an expansion of remit of the CAAG in accordance with a request from the Chair</b>
<b>Officer recommendation(s):</b>	<p><b>(1) That Council be recommended to adopt the revised Terms of Reference (ToR) in respect of remit and membership, set out in Appendix 1</b></p> <p><b>(2) That the Monitoring Officer be authorised to make the necessary changes to the Council's Constitution in order to give effect to this change</b></p>
<b>Reasons for recommendations:</b>	<b>To propose an enhanced remit for the CAAG enabling a broader input of knowledge into the decision making process in respect of matters affecting Conservation Areas and Listed Buildings.</b>
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## **1 Introduction**

- 1.1 Councils are required, from a 'Best Practice' point of view, to have consultative arrangements for planning applications in conservation areas. These arrangements are non-specific, but this Council's practice is for these consultative arrangements to be covered by a formal public committee, namely the Conservation Area Advisory Group (CAAG).
- 1.2 The current remit of the CAAG is specifically to comment and make recommendations in respect of planning applications in conservation areas and on listed buildings where there is a material impact. The Chair of CAAG has now requested that we consider expanding this remit to enable a wider use of this resource and its experience and expertise, to provide input into any major policy, strategy or project that has a material effect on conservation areas or listed buildings.

## **2 Proposal**

- 2.1 A proposed expanded remit for CAAG is set out in Appendix 1. This retains the existing remit in respect of expressing views on material planning applications in conservation areas but now enables CAAG to be consulted on wider matters that impact on conservation areas. CAAG would remain strictly as a consultative forum only, receiving and commenting on matters led by other decision making bodies. However, where its current remit makes it a 'client consultee' specifically for the planning committee and the South Downs National Park Authority, the proposed expansion of remit would allow for CAAG's views to be sought also in response to strategic matters from the Cabinet.
- 2.2 As this proposal for expansion of remit would necessitate a change to CAAG's Terms of Reference, as set out in the Council's Constitution, it will require Full Council approval. The proposed amended ToR is set out in Appendix 1.

## **3 Introducing specification guidance for the Co-opted Advisors**

- 3.1 Currently, the Group's Terms of Reference for membership refers simply to the addition of co-opted advisors, without being specific as to who those advisors are or how they are selected.
- 3.2 Introducing some structure for the recruitment of co-opted advisors will provide an opportunity for a more transparent and disciplined approach towards recruiting the best possible balance and breadth of representation on the Group, allowing for both professional and non-professional views relating to conservation areas to be heard.

Following discussion with the Chair, the proposal is that co-opted advisors should specify inclusion of the Council's Heritage Champion and up to three others, at least two of which should be external. These would be reviewed annually and appointments made by the Head of Planning in liaison with the Chair of CAAG.

To instigate this change, we propose to amend the Terms of Reference membership details in the constitution. Again, this is set out in Appendix 1.

## **4 Consultation**

- 4.1 In preparing this report, the Monitoring Officer has consulted with the Leaders of both Groups, the Chair of Planning and the Chair of CAAG. Officers consulted include members of the Corporate Management Team, the Head of Planning, Specialist Advisors for Conservation, the Committee and Civic Services Manager, and Senior Committee Officer. No objections have been received.

## **5 Financial Implications**

The Council's Finance Team have been consulted. However, there are no financial implications arising from the recommendations in this report.

## **6 Legal implications**

The Council's Legal Team have been consulted and provided the following comment:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. A material consideration is a matter that should be taken into account in deciding a planning application or on an appeal against a planning decision. Material considerations can include the effect on listed building and conservation areas.

## **7 Risk management implications**

There are no new risks arising from the proposals in this report.

## **8 Equality analysis**

The revised proposal for recruiting co-opted advisors will enable broad and creative representation on the Group and the wider remit will provide an opportunity for greater input into matters affecting conservation areas.

## **9 Sustainability implications**

The proposed amendments to CAAG's Terms of Reference will help promote wider, more informed views, and can only enhance responsible development and quality decision making, in keeping with the desire to preserve and enhance conservation areas.

## **10 Appendices**

- Appendix 1 – Recommended changes to CAAG's Terms of Reference as set out in the Council's Constitution, in accordance with the recommendations in this report.

## **11 Background papers**

There were no background papers used in compiling this report.